

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

ERIC EICHEL, Individually and  
as Personal Representative of  
the Estate of Randi Eichel

&

SHANNAH EICHEL, a minor by and  
through her father and next  
friend Eric Eichel

Plaintiffs

v.

UNITED STATES  
OF AMERICA,

Defendant

CIVIL ACTION NO. MJG-02-4207

\* \* \* \* \* \*\*\* \* \* \* \*

ORDER APPROVING SETTLEMENT ON  
BEHALF OF A MINOR CHILD

On this \_\_\_\_\_ day of \_\_\_\_\_, 2004, the parties have requested that the Court approve a settlement between the United States of America and Plaintiff's minor child: Shannah Eichel ("the minor child").

The complete and precise terms and conditions of the settlement are set forth in the Stipulation For Compromise Settlement And Release Of Federal Tort Claims Act Claims Pursuant To 28 U.S.C. § 2677 (hereinafter "Stipulation For Compromise Settlement And Release"), attached hereto as Exhibit 1. The Court has reviewed the Stipulation For Compromise Settlement And Release. The Court has also reviewed the May 17, 2004, opinion letter

addressing the reasonableness of the settlement to the minor children, authored by Charles F. Gormly, Esquire, attached hereto as Exhibit 2.<sup>1</sup>

The Court is fully informed of the specifics of the full and final terms and conditions of the settlement. The Court understands that this settlement is contingent upon the satisfaction of the terms and conditions set forth in Exhibit 1, including an Order approving the settlement on behalf of the minor children. The Court finds that this settlement is fair, reasonable, and in the best interests of the minor child.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the settlement, as set forth in Exhibit 1, is hereby approved. It is further Ordered that Eric Eichel, as next friend and parent of Shannah Eichel, are authorized and required to sign the Stipulation For Compromise Settlement And Release, along with any other documents that are necessary to consummate this settlement, on behalf of the minor children.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the "settlement amount" of Eight Hundred Thousand and No/100 (\$800,000.00) shall be distributed according to the terms and

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<sup>1</sup> Mr. Gormly is a respected member of the federal bar in the District of Maryland. The parties mutually agreed to ask Mr. Gormly to review the terms of the settlement and to render an opinion concerning the fairness and reasonableness of the proposed distribution to the minor children. Mr. Gormly concluded that the settlement on behalf of the minor child was indeed in the best interests of the minor.

conditions of the Stipulation For Compromise Settlement And Release.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that attorneys' fees in this action shall be twenty-five percent (25%) of the settlement amount (28 U.S.C. § 2678) and shall be paid as provided in the Stipulation For Compromise Settlement And Release.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, upon final execution of the Stipulation for Compromise Settlement And Release and after the payment of the settlement amount by the United States, the action brought by plaintiff Eric Eichel will be dismissed with prejudice, with each party bearing its own costs, expenses and fees, consistent with the Court's Order under Local Rule 111.

Date: \_\_\_\_\_

\_\_\_\_\_  
Marvin J. Garbis  
United States District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10<sup>th</sup> day of June, 2004, a copy of the foregoing Order Approving Settlement On Behalf Of A Minor Child was electronically filed and so served upon Karl J. Protil, Jr., Shulman, Rogers, Gandal, Pordy & Ecker, P.A., 11921 Rockville Pike, Third Floor, Rockville, Maryland 20852.

/s/  
TARRA DeSHIELDS  
Assistant United States Attorney